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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEANNETTE FULLER HAUSLER as Successor
Personal Representative of the Estate of ROBERT
OTIS FULLER ("BOBBY FULLER"), Deceased, on
behalf of THOMAS CASKEY as Personal
Representative of the Estate of LYNITA FULLER
CASKEY, surviving daughter of ROBERT OTIS
FULLER, THE ESTATE OF ROBERT OTIS
FULLER, FREDERICK FULLER, FRANCIS
FULLER, GRACE LUTES, JEANNETTE FULLER
HAUSLER, and IRENE MOSS,

Petitioner,

-against-

JPMORGAN CHASE BANK, N.A., CITIBANK, N.A.,
UBS AG, THE ROYAL BANK OF SCOTLAND N.V.,
(FORMERLY KNOWN AS ABN AMRO BANK
N.V.), and BANK OF AMERICA, NATIONAL
ASSOCIATION,

Garnishee-Respondents.

JPMORGAN CHASE BANK, N.A., CITIBANK, N.A.,
UBS AG, THE ROYAL BANK OF SCOTLAND N.V.,
(FORMERLY KNOWN AS ABN AMRO BANK
N.V.), and BANK OF AMERICA, NATIONAL
ASSOCIATION,

Garnishee-Respondents
and Third-Party

Petitioners,

-against-

BANCO FINANCIERO INTERNACIONAL S.A.,
BANCO INTERNACIONAL DE COMERCIO, S.A.,
BANCO NACIONAL DE CUBA, BANCO POPULAR
DE AHORRO, ABBOTT LABORATORIES, INC., as
successor to Quimica Knoll de Mexico, S.A. de C.V.,
AEROFLOT LINEAS AEREAS SOVIETICAS,

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/20/11

09 Civ. 10289 (VM)

Related to JPM Chase/Citibank
Turnover Proceeding

In Respect of a Judgment
Entered in the State of Florida,
Case No. 02-12475-CA-09

STIPULATION OF
DISMISSAL (BANCO
ESPAÑOL DE CREDITO)

TRANCHE III

x

STIPULATION OF DISMISSAL

WHEREAS, on or about July 6, 2010, Petitioner Hausler filed a turnover petition ("Turnover Petition III") that seeks, pursuant to the Terrorism Risk Insurance Act ("TRIA"), to satisfy a default judgment entered in Florida state court against the Republic of Cuba by executing against accounts holding the proceeds of certain electronic funds transfers ("EFTs") that were blocked pursuant to the Cuban Assets Control Regulations, 31 C.F.R. Part 515, as issued from time to time by the Office of Foreign Assets Control of the United States Treasury Department under authority of the Trading with the Enemy Act, 50 U.S.C. App. 5(b) (the "CACRs");

WHEREAS, on or about October 29, 2010, in connection with its response to Turnover Petition III, JP Morgan Chase Bank, N.A. ("JPM Chase") commenced an interpleader proceeding in which it sought to bring before the Court those parties to certain EFTs who were potentially adverse to Petitioner Hausler and had a potential claim to the blocked proceeds at issue, including Banco Español de Credito ("BANESTO") and Banco Nacional de Cuba;

WHEREAS, the account identified in Exhibit E to Turnover Petition III ^eas JPM Chase Account #7—Account Number 395503922—is alleged to contain the proceeds of an EFT that was blocked on or about May 16, 1994, in respect of which Banco Nacional de Cuba was the "beneficiary" and BANESTO was the "originator" and "debit bank" (the "BANESTO EFT #1");

WHEREAS the original amount of the blocked proceeds of the BANESTO EFT #1 was \$72,831.07 and the balance of JPM Chase Account #7 as of September 30, 2009 was \$81,352.14;

WHEREAS, because the CACRs require the blocking of any EFT involving, among other things, any national of Cuba such as Banco Nacional de Cuba, the proceeds of the BANESTO EFT #1 were paid into JPM Chase Account #7, which is a blocked, interest-bearing

account on the books of JPM Chase that was funded by debiting the account of BANESTO with Chase Manhattan Bank, a predecessor of JPM Chase ("Chase Manhattan");

WHEREAS, the account identified in Exhibit E to Turnover Petition III as JPM Chase Account #9—Account Number 395503914¹—is alleged to contain the proceeds of an EFT that was blocked on or about May 17, 1994, in respect of which Banco Nacional de Cuba was the "beneficiary" and BANESTO was the "debit bank" (the "BANESTO EFT #2," and together with BANESTO EFT #1, the "BANESTO EFTs");

WHEREAS the original amount of the blocked proceeds of the BANESTO EFT #2 was \$51,228.63 and the balance of JPM Chase Account #9 as of September 30, 2009 was \$57,780.66;

WHEREAS, because the CACRs require the blocking of any EFT involving, among other things, any national of Cuba, such as Banco Nacional de Cuba, the proceeds of the BANESTO EFT #2 were paid into JPM Chase Account #9, which is a blocked, interest-bearing account on the books of JPM Chase that was funded by debiting the account of BANESTO with Chase Manhattan;

WHEREAS, JPM Chase commenced the October 29, 2010 interpleader proceeding referred to above in order to obtain a discharge from liability to those parties to the BANESTO EFTs who might later assert claims to the blocked funds held in JPM Chase Account #7 and JPM Chase Account #9, named Petitioner Hausler and the parties to the BANESTO EFTs, including BANESTO, as Adverse Claimant-Respondents, and served them with a summons and third-party petition alleging claims in the nature of interpleader;

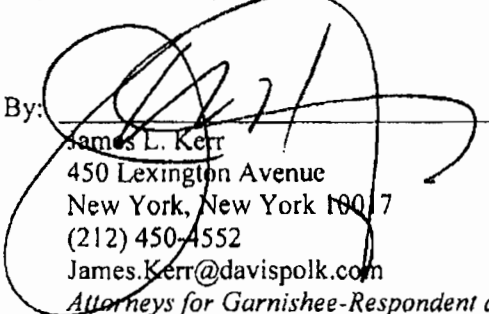

WHEREAS, BANESTO seeks to avoid the expense of further participation in this litigation, and is therefore prepared, upon JPM Chase's compliance with an order issued by this

¹ The account is misidentified in Exhibit E to Turnover Petition III as JPM Chase Account Number "39550914."

Court pursuant to TRIA directing turnover to Petitioner Hausler of the funds then held in JPM Chase Account #7 and JPM Chase Account #9, to consent to the entry of judgment releasing and discharging JPM Chase from any further liability to it in respect of the funds held in JPM Chase Account #7 and JPM Chase Account #9;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel that the claims in the nature of interpleader alleged against BANESTO by JPM Chase in its Interpleader Petition dated October 29, 2010 shall be, and the same hereby are, dismissed with prejudice pursuant to Rule 41(a)(2) and 41(c) of the Federal Rules of Civil Procedure.

Dated: New York, New York
May 18, 2011

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| DAVIS POLK & WARDWELL LLP By:  James L. Kerr 450 Lexington Avenue New York, New York 10017 (212) 450-4552 James.Kerr@davispolk.com <i>Attorneys for Garnishee-Respondent and Third-Party Petitioner JPMorgan Chase Bank, N.A.</i> | HUNTON & WILLIAMS LLP By:  Paulo R. Lima 1111 Brickell Avenue Miami, FL 33131 (305) 810-2500 plima@hunton.com <i>Attorneys for BANESTO</i> |
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So Ordered
May 19, 2011


Victor Marrero
U.S.D.J.